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October 7, 2021

VIA ECF

Hon. Colleen McMahon
United States District Judge
Daniel Patrick Moynihan Courthouse
500 Pearl St
New York, NY 10007

Re: ***Plum Builders v. Dwell (1:21-cv-6690-CM) - Motion for Extension of Time to Answer***

Dear Judge McMahon:

Pursuant to L.R. 7.1(d) and Rule of Practice I.D, Defendants Dwell Life, Inc. and Dwell Media, LLC (collectively, "Dwell") and Plaintiff Plum Builders, Inc. ("Plum Builders") respectfully jointly move for a 30-day extension of time for Dwell to respond to Plum Builders' Complaint (Dkt. No. 1) in the above-titled action. Accordingly, the parties also jointly move to continue the scheduling conference currently set for October 28, 2021.

According to Dwell's waiver of service of the summons (Dkt. No. 13), Dwell's present deadline to respond to the Complaint is October 25, 2021. This is the first request by either party for an extension of this or any deadline in this proceeding. Plum Builders has consented to and joins this motion. The requested extension would require the continuance of the initial conference, as requested herein; however, the parties have not yet submitted a proposed scheduling order, and therefore no future dates would otherwise be affected.

Good cause exists for the requested extension because the parties are actively engaged in settlement discussions. The parties have made meaningful and substantive progress toward reaching a resolution of this dispute that would result in a dismissal of the action. Extension of Dwell's deadline to respond to the complaint will allow the parties to devote their full time and resources to settlement. Additionally, Plaintiff's counsel has been unable to devote full attention to settlement recently due to staff medical leave.

Extension of Dwell's deadline to respond to the Complaint by 30 days would set Dwell's new deadline for **November 24, 2021**. Due to the Thanksgiving holiday on November 25, 2021, the parties also respectfully request that the Court continue the initial conference to a date in the week beginning November 29, 2021 or thereafter.

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Respectfully submitted,

/s/ Raffi V. Zerounian

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(admitted *pro hac vice*)
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Respectfully submitted,

/s/ Gerard F. Dunne

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